

201413US-2 PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : DATE ALLOWED: 07/15/03
TAKASHI MIYACHI : GROUP UNIT: 2851
SERIAL NO: 09/720,789 :
FILED: DECEMBER 29, 2000 : EXAMINER: NGUYEN, H.
FOR: SCANNING EXPOSURE METHOD, :
SCANNING EXPOSURE APPARATUS
AND MAKING METHOD FOR...

PETITION UNDER 37 CFR §1.181(a)(3)

COMMISSIONER FOR PATENTS
Alexandria, Virginia 22313

SIR:

This is a Petition pursuant to 37 CFR §1.181(a)(3) requesting that the examiner be provided the Application file in order to supply Applicants a copy of the below noted Form PTO-1449 that indicates consideration of the reference listed thereon.

STATEMENT OF FACTS

On July 7, 2003, Information Disclosure Statement (IDS) papers were filed that included a Form PTO-1449 listing U.S. Patent No. 5,920,398 as documented by the attached copy of these IDS papers including the Form PTO-1449 and the associated date-stamped mail room filing receipt.

Upon review of this Application after the allowance thereof, it was noted that there was no indication of receipt or consideration of these IDS papers including the Form PTO

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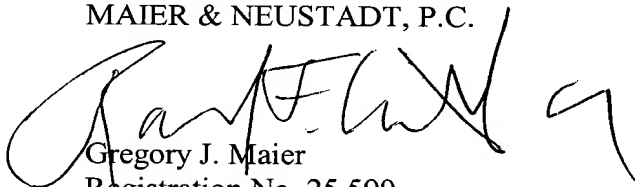
1449 listed U.S. Patent No. 5,920,398. Accordingly, the Examiner was called on July 31, 2003, to ask for a copy of the Form PTO-1449 that showed receipt and proper consideration of listed U.S. Patent No. 5,920,398. The Examiner indicated that nothing could be done without the application file and that the application file was presently unavailable.

ACTION REQUESTED

It is respectfully requested that the Examiner be supplied with the application file so that he can provide Applicants a copy of the above-noted Form PTO-1449 indicating proper consideration of the listed reference.

Respectfully submitted,

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